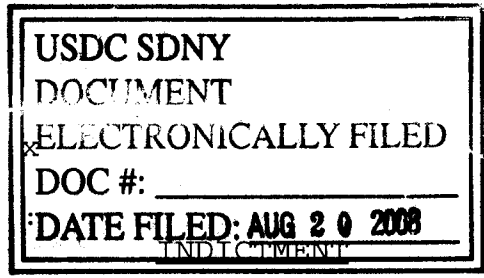


JUDGE SULLIVAN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

-v.-

08 Cr.

ROBERTO SANCHEZ,
GABRIELLE COHEN-SANCHEZ,
WAYNE MAURICIO BURKE,
a/k/a "Mauricio,"
a/k/a "Enrique Nunes Arce,"
JOSEPH RIVERA, and
ROBERT CALCANO
a/k/a "Ralph,"

08CRIM 789

Defendants.

COUNT ONE

The Grand Jury charges:

1. From at least in or about March 2008, through and including in or about August 2008, in the Southern District of New York and elsewhere, ROBERTO SANCHEZ, GABRIELLE COHEN-SANCHEZ, WAYNE MAURICIO BURKE, a/k/a "Mauricio," a/k/a "Enrique Nunes Arce," JOSEPH RIVERA, and ROBERT CALCANO, a/k/a "Ralph," the defendants, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ROBERTO SANCHEZ, GABRIELLE COHEN-SANCHEZ, WAYNE MAURICIO BURKE, a/k/a "Mauricio," a/k/a "Enrique Nunes Arce," JOSEPH RIVERA, and ROBERT CALCANO, a/k/a "Ralph," the defendants, and

others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about April 2008, in Newark, New Jersey, ROBERTO SANCHEZ, GABRIELLE COHEN-SANCHEZ, and WAYNE MAURICIO BURKE, a/k/a "Mauricio," a/k/a "Enrique Nunes Arce," the defendants, met with a cooperating witness ("CW-1") and asked CW-1 to transport cocaine from the New York/New Jersey seaport to a location in New York City.

b. On or about July 19, 2008, in Manhattan, New York, BURKE placed a call to a co-conspirator not named herein ("CC-1") to discuss an impending cocaine transaction.

c. In or about August 2008, GABRIELLE SANCHEZ-COHEN spoke over a cellular telephone to JOSEPH RIVERA, the defendant, and provided RIVERA with various shipping container identification numbers, one of which identified the shipping

container from which law enforcement agents later recovered approximately 72 kilograms of cocaine.

d. On or about August 11, 2008, ROBERT CALCANO, a/k/a "Ralph," the defendant, spoke over a cellular telephone to BURKE and agreed to accept delivery of cocaine from BURKE.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ROBERTO SANCHEZ, GABRIELLE COHEN-SANCHEZ, WAYNE MAURICIO BURKE, a/k/a "Mauricio," a/k/a "Enrique Nunes Arce," JOSEPH RIVERA, and ROBERT CALCANO, a/k/a "Ralph," the defendants, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)


Foreperson


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v -

ROBERTO SANCHEZ,
GABRIELLE COHEN-SANCHEZ,
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JOSEPH RIVERA, and
ROBERT CALCANO,
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Defendants.

INDICTMENT

08 Cr.

(21 U.S.C. § 846;
21 U.S.C. §§ 841(a)(1) and 853.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Shomy Piccioni
Foreperson.

8/20/08
Fld for Post 11-82, This
CPC is assigned to Judge Sullivan
for all purpose
Mts Judge Wilson